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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,421	03/18/2005	Gerhard Lang	449122079800	4422

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EXAMINER

BARNES, CRYSTAL J

ART UNIT PAPER NUMBER

2121

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,421	<b>Applicant(s)</b> LANG ET AL.	
	<b>Examiner</b> Crystal J. Barnes	<b>Art Unit</b> 2121	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>18 Mar. '05</u> | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is an initial Non-Final Office Action upon examination of the above-identified application on the merits. Claims 1-4 are pending in this application.

#### *Priority*

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d) or 365(a) or (b), which papers have been placed of record in the file.

#### *Information Disclosure Statement*

3. The examiner has considered the information disclosure statement (IDS) submitted on 18 March 2005.

#### *Specification*

4. The abstract of the disclosure is objected to because reference characters "10, 11" have been used to designate both control switches and digital inputs and outputs and reference characters "10, 11" and "8, 9" have both been used to

designate digital inputs and outputs. Correction is required. See MPEP

§ 608.01(b).

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 3 recites the limitation "the process and protective devices" in line 1 on page 3. There is insufficient antecedent basis for this limitation in the claim. Claim 3 should recite "the process control and protective devices".

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,845,301 B2 to Hamamatsu et al.

As per claim 1, the Hamamatsu et al. reference discloses an arrangement for controlling and monitoring a switchgear assembly, comprising: a station control computation device (see columns 7-8 lines 67-1, "protecting and controlling units 23-1 through 23-n"), in which the functions of a least one of at least one process control device (see column 8 lines 2-3, "main circuit control unit 21-1") and at least one protective device (see column 8 line 4, "protecting unit 22-1") are integrated (see columns 12-13 lines 65-2, "integrated"); apparatuses (see column 8 lines 24-27, "sensor unit 28") for digitally controlling switches (see column 8 lines 19-21, "circuit breaker, disconnecting/earthing switch") of the switchgear assembly (see column 8 lines 1-5, "main circuit unit 20-1") having digital inputs (see column 8 lines 31-35, "digital data") and outputs (see column 8 lines 28-39, "digital data output means"); and transformer electronics (see column 8 lines 6-9, "electric transformers"), arranged in a vicinity ("main circuit unit 20-1") of the switches

("circuit breaker, disconnecting/earthing switch"), having digital outputs ("digital data output means"), the digital inputs and outputs ("digital data") of the apparatuses ("sensor unit 28") for digital control (see column 8 lines 28-35, "controlling, monitoring, and protecting") and the digital outputs ("digital data output means") of the transformer electronics ("electric transformers") being logically linked ("component unit communication bus 29") to the station control computation device ("protecting and controlling units 23-1 through 23-n") via arbitrary physical communications links ("component unit communication bus 29").

As per claim 2, the Hamamatsu et al. reference discloses the station control computation device ("protecting and controlling units 23-1 through 23-n") for each switch panel ("circuit breaker, disconnecting/earthing switch") of the switchgear assembly ("main circuit unit 20-1 through 20-n") in each case has one station control computation apparatus ("protecting and controlling units 23-1 through 23-n"), in which the functions of the process control ("main circuit control unit 21-1") and protective devices (see column 8 line 4, "protecting unit 22-1"), which are associated with the respective switch panel ("circuit breaker, disconnecting/earthing switch, of main circuit unit 20-1 through 20-n"), are integrated ("integrated").

As per claim 3, the Hamamatsu et al. reference discloses the station control computation device (see column 41 line 1, "protecting and controlling unit 23A or 23B") has, for at least two switch panels ("circuit breaker, disconnecting/earthening switch") of the switchgear assembly ("main circuit unit 20-1 through 20-n"), a common station control computer ("protecting and controlling unit 23A or 23B"), in which the functions of the process ("main circuit control unit 21-1") and protective devices (see column 8 line 4, "protecting unit 22-1"), which are associated with the at least two switch panels ("circuit breaker, disconnecting/earthening switch, of main circuit unit 20-1 through 20-n"), are integrated ("integrated").

As per claim 4, the Hamamatsu et al. reference discloses the apparatuses ("sensor unit 28") for digital control ("controlling, monitoring, and protecting") and the transformer electronics ("electric transformers") are directly linked to a further station control computer (see column 7 lines 64-67, "remote controlling and monitoring equipment 2, collective substation controlling and monitoring equipment 3") via further arbitrary physical communications links ("station bus 7").

*Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to controlling and monitoring electrical power distribution systems in general:

USPN 6,970,771 B1 to Preiss et al.

USPN 6,954,704 B2 to Minami et al.

USPN 6,882,888 B2 to Wimmer et al.

USPN 6,137,776 to Bauerschmidt et al.

US Pub. No. 2004/0098172 A1 to Deck et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax



phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
CJB

7 June 2006